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Attorney for Steven Villagomez Pangelinan.

**IN THE UNITED STATES DISTRICT COURT
 FOR THE
 COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA,]	Case No. CR-95-00024-005
]	
Plaintiff,]	MOTION TO AMEND SENTENCE AND CONDITION OF SUPERVISED RELEASE
]	
vs.]	
]	
STEVEN VILLAGOMEZ PANGELINAN,]	Date: <u>August 30, 2007</u>
]	Time: <u>9:30 a.m.</u>
Defendant.]	Judge: Hon. Alex R. Munson

MOTION TO AMEND SENTENCE AND CONDITION OF SUPERVISED RELEASE

Steven Villagomez Pangelinan, by and through his court-appointed attorney, F. Matthew Smith, hereby moves this Court for an order amending a portion the sentence and a condition imposed on his supervised release by forgiving all interest on the \$25,000.00 fine, applying Mr. Pangelinan's previous payments towards the principal on that fine, and applying all future payments towards the principal so that Mr. Pangelinan has a reasonable opportunity to pay off the fine, and to fully comply with the terms of his supervised release. In support of this motion, Mr. Pangelinan respectfully requests this Court to consider the following:

1. As part of Mr. Pangelinan's original sentence, he was required to pay a fine of

\$25,000.00. Since Mr. Pangelinan's original sentence, he has obtained his boat captain's license and worked hard to pay off the \$25,000.00 fine. As of May 22, 2007, Mr. Pangelinan had made payments toward the fine in the total amount of \$13,448.00. See Payment History Report (dated May 22, 2007) a true and correct copy of which is attached hereto as **Exhibit A**.

2. The vast majority of the money that Mr. Pangelinan has paid towards the fine over the years has so far been applied to the interest imposed on the fine, and very little towards the principal. Mr. Pangelinan has made serious efforts to pay the fine, and has paid \$13,448.00, but as of May 17, 2007 there still remained an outstanding balance on the fine of \$22,432.64. See Summons in a Criminal Case at Unsatisfied Conditions of Original Sentence ¶12 (filed May 18, 2007).

3. Mr. Pangelinan has worked hard to maintain regular employment as a boat captain, and has every intention of continuing his employment and continuing to make regular payments of \$200.00 per month towards the fine. Given his inability to pay more than \$200.00 per month, and given the interest that continues to accrue on his balance, however, Mr. Pangelinan fears that despite his best efforts he will never be able to pay off the principal balance, and thus fully satisfy the conditions of his supervised release.

4. Should the interest on Mr. Pangelinan's fine be forgiven, and should the \$13,448.00 that Mr. Pangelinan has already paid be applied towards the principal on his \$25,000.00 fine, Mr. Pangelinan would be left with an outstanding balance of \$11,552.00.

5. If the interest on Mr. Pangelinan's fine is not forgiven as requested, he will likely be on supervised release indefinitely, and probably for the rest of his life, this despite Mr. Pangelinan's best efforts to fully comply with the conditions.

Wherefore, Mr. Pangelinan prays that this Court grant him an order amending the sentence and conditions imposed by forgiving all interest on his \$25,000.00 fine, applying all previous payments toward the \$25,000.00 principal, and applying all future payments to the remaining principal balance.

Respectfully submitted this 16 day of July, 2007.



F. MATTHEW SMITH, Attorney for
Steven Villagomez Pangelinan

FAMRIT HISTORY REPORT

FOR - 159-ZCR-077/001

FIN	FIN	CCL	REFC	FORM/	REC	DEPOSIT	CHECK	TRANS # BCP	FIRST PAY	PCST	DATE
SEQ	CORE	TYPE	DATE	REC BY	FROM	NO.	NO.	DEPOSIT NO.			
0077	PMT	3	25-MAY-2003	CL/A	6266				\$50.00	26-MAY-2003	
0078	PMT	3	07-JAN-2004	CL/A	5431				\$100.00	08-JAN-2004	
0080	PMT	3	02-AUG-2004	CL/A	6614				\$100.00	05-APR-2004	
0084	PMT	3	27-MAY-2004	CL/A	6705				\$200.00	28-MAY-2004	
0087	PMT	3	16-AUG-2004	CL/A	6837				\$100.00	16-AUG-2004	
0088	PMT	3	23-NOV-2004	CL/A	5944				\$100.00	18-OCT-2004	
0090	PMT	3	17-DEC-2004	CL/A	7028				\$200.00	13-MAY-2004	
0091	PMT	3	36-JAN-2005	CL/A	7105				\$50.00	24-JAN-2005	
0092	PMT	3	15-FEB-2005	CL/A	7145				\$50.00	15-FEB-2005	
0093	PMT	3	15-FEB-2005	CL/A	7136				\$50.00	15-FEB-2005	
0094	PMT	3	13-MAR-2005	CL/A	7253				\$100.00	13-MAR-2005	
0095	PMT	3	28-JUN-2005	CL/A	7381				\$100.00	13-MAR-2005	
0096	PMT	3	11-AUG-2005	CL/A	7473				\$125.00	25-JUN-2005	
0097	PMT	3	06-SEP-2005	CL/A	7518				\$50.00	15-NOV-2005	
0098	PMT	3	16-NOV-2005	CL/A	7583				\$100.00	07-SEP-2005	
0099	PMT	3	06-DEC-2005	CL/A	7844				\$200.00	17-DEC-2005	
0100	PMT	3	03-JUN-2006	CL/A	7772				\$250.00	07-DEC-2006	
0102	PMT	3	07-MAR-2006	CL/A	1691				\$200.00	13-DEC-2006	
0103	PMT	3	20-APR-2006	CL/A	7575				\$200.00	16-MAY-2006	
0104	PMT	3	18-JUN-2006	CL/A	5805				\$200.00	24-JULY-2006	
0105	PMT	3	29-APR-2007	CL/A	2207				\$150.00	21-APR-2007	
0107	PMT	3	03-JUN-2006	CL/A	0228				\$300.00	14-SEP-2006	
0108	PMT	3	10-JUL-2007	CL/A	03472				\$200.00	15-JULY-2006	
0112	PMT	3	17-APR-2007	CL/A	03521				\$200.00	21-JULY-2006	
									\$250.00	17-APR-2007	

Total Payments for Debtor:

\$13,446.95

EXHIBIT A